

REMARKS

In this Amendment, new claims 52 to 79 have been added and claims 36-51 have been cancelled without prejudice. Claims 36-51 have been cancelled to further the prosecution of the present application by focusing the prosecution on new claims 36-51, which benefit from the Declaration under 37 C.F.R. 1.131 that is submitted herewith. The Declaration establishes both conception and actual reduction to practice of the invention as embodied, at least, in claims 52 and 60 to be before October 4, 1999. Applicant reserves the rights to pursue the cancelled claims in a continuation application. As such, the cancellation is not an acknowledgement of the validity of the Examiner's rejections but is an action to assist in the prosecution of the application by focusing the prosecution on a set of claims that is commensurate with the priority from which the present application will benefit in view of the attached Declaration.

In the Office Action, claims 42 and 50 were rejected under 35 U.S.C., first paragraph. Claims 36-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mousseau et al. (US 6,477,529) in view of Kadyk et al. (US 6,674,767) in view of Landgren (US 6,115,754). Claims 36-51 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Spyglass Prism Concepts and Applications in view of Vishwanath et al. (US 6,216,157). Since claims 36-51 have been cancelled, the rejections are no longer applicable. However, to assist in the prosecution of the patent application and to demonstrate the allowability of new claims 52-79, Applicant provides the following remarks.

In the Office Action, the Examiner cites certain prior art which includes the Mousseau '529 patent and the Kadyk '767 patent. However, the Declaration establishes a conception and an actual reduction practice date that is before October 4, 1999, which precedes the effective filing date of the Mousseau '529 patent and the Kadyk '767 patent, which had established them as prior art under Section 102(e).

The Office Action on page 7 states that "Spyglass does not explicitly state the transmission of the data packets is passed by the web server based on the wireless network type." (emphasis added). The Office Action relies on Vishwanath for the "passing." However, the actual term used in the claim is "pacing." Applicant does not understand the rejection in view of this difference between the claim language and the Office Action. In the new claims, "pacing" is a feature of dependent claims 68-69 and 74-75.

Based on Applicant's review, the Office Action also does not address claimed features relating to sending the wireless network type to the web server as part of the

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transport protocol, which is now a component of new claims 71 and 77. Moreover, Spyglass does not describe or suggest such a feature.

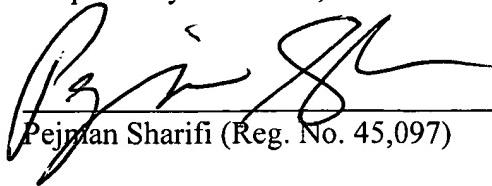
In addition, Spyglass does not describe or suggest other features of the pending claims such as the feature of independent claim 52 which recites that the web server is configured "to reformat the requests [from users to view Internet web pages] into HTTP requests." No such functionality or feature is described or needed in Spyglass. Spyglass describes a system that operates entirely in HTTP. See, for example, the discussion and figure on page 4 of Spyglass in which the publication describes the "HTTP server core." Specifically, Spyglass states that the "HTTP engine that powers Spyglass Prism provides a standard HTTP interface to Web client." Spyglass further states that "[a]ny device that utilizes a standard-based HTML browser that supports HTTP can interface with Spyglass Prism's HTTP engine." As such, Spyglass shows an end-to-end HTTP implementation which would reformat requests in HTTP requests. Claim 52 clearly includes such a functionality which provides a greater flexibility and possible ease of implementation for wireless network operators. Counterpart method claim 60 also includes a feature for reformatting requests into HTTP requests, which is again not shown or needed in Spyglass. As such, claims 52 and 60 are allowable over the cited art.

Dependent claims 53 to 59 and 60 to 79 incorporate additional unique and distinguishable features over the cited prior art. In addition, dependent claims 53-59 and 60-79 are at least allowable due to being dependent from base claims 52 or 60.

Accordingly, the pending claims are allowable over the art cited.

Should the Examiner not agree that all pending claims are allowable, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of these claims.

Respectfully submitted,



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